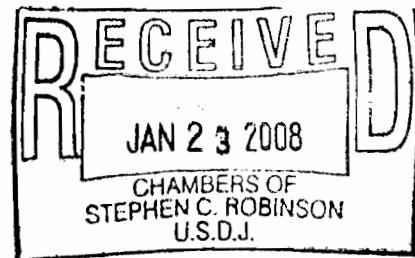


SCOTT M. ZUCKER

ATTORNEY AT LAW

135 CROSSWAYS PARK DRIVE, SUITE 201
WOODBURY, NEW YORK 11797

TELEPHONE (516) 921-0090
FACSIMILE (516) 364-3345



MEMO ENDORSED

116 JOHN STREET
SUITE 312
NEW YORK, NEW YORK 10038

January 18, 2008

4510 COX ROAD, SUITE 100
ROWE PLAZA
GLEN ALLEN, VIRGINIA 23060

VIA ECF AND FIRST CLASS MAIL

Hon. Stephen C. Robinson
United States District Court Judge
For the Southern District of New York
500 Pearl Street
New York, NY 10007

**RE: Herman, et al. v. Berson, et al., Case No. 07CIV10263 (SCR)
Motion to Dismiss of Defendants David Berson, Daremy Court
Qualified Ventures, L.L.C., and Daremy Court XIV, Inc.**

Dear Judge Robinson:

My office along with Andrew B. Schultz represents Defendants David Berson, Daremy Court Qualified Ventures, L.L.C., and Daremy Court XIV, Inc. in the above referenced matter. Pursuant to your local rules, enclosed please find a courtesy copy of their Motion to Dismiss, electronically filed and served today.

Also pursuant to your local rules, counsel for the parties have met and conferred, and jointly submit the following proposed briefing schedule for this motion:

- Opposition Papers, if any, shall be filed on or before February 28, 2008;
- Reply Papers, if any, shall be filed on or before March 5, 2008.

If the Court has any questions or concerns, please do not hesitate to contact my office.

APPLICATION GRANTED

S. C. Robinson
HON. STEPHEN C. ROBINSON

cc: All parties via ECF.

Respectfully Submitted,

Scott M. Zucker, Esq.

